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International cooperation in the peaceful uses of outer space

Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space

Report of the Secretary-General

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I. Introduction

1. The General Assembly, in its resolution 52/56 of 10 December 1997, requested the Secretary-General to report to the Assembly at its fifty-third session on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE 82).[1]

2. In response to that request, the present report provides information on the progress made in the implementation of the recommendations of the Conference.

3. The Committee on the Peaceful Uses of Outer Space, its Scientific and Technical Subcommittee and the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space considered the question of the implementation of the recommendations of the Conference during their 1998 sessions. Accordingly, the information contained in the present report primarily reflects the result of the work of the Committee, whose report[2] is also before the General Assembly.

II. Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space

4. The Working Group of the Whole was reconvened by the Scientific and Technical Subcommittee at its 1998 session in accordance with General Assembly resolution 52/56 to conclude its evaluation of the implementation of the recommendations of UNISPACE 82.

5. At its 1998 session, the Committee noted that the Working Group of the Whole had refined or interpreted several recommendations of UNISPACE 82, making them more specific to facilitate their implementation. The Committee further noted that as a result, good progress had been achieved, notably in the following areas:

(a) Arrangement of a fellowship programme for the organization of in-depth training courses and workshops on advanced applications of space science and technology;

(b) Enhancement of international and regional cooperation in space-related activities;

(c) Preparation of a series of technical studies relating to specific areas of space science and technology and their applications;

(d) Promotion of a greater exchange of actual experiences and cooperation in space science and technology;

(e) Establishment of regional centres for space science and technology education in each economic region, in order to stimulate the growth of indigenous nuclei and an autonomous technological base in space technology in developing countries;

(f) Efforts to arrange for appropriate allocations from the United Nations budget for the expanded activities of the United Nations Programme on Space Applications and for requesting Member States to support the Programme through voluntary contributions, both in cash and in kind.

III. Inter-agency cooperation

6. In paragraph 20 of its resolution 52/56, the General Assembly invited all Governments within the organizations of the United Nations system and other intergovernmental organizations working in the field of outer space or on space-related matters to take effective action for the implementation of the recommendations of the Conference. In that connection, the Committee noted with appreciation the participation in all stages of its work and that of its Scientific and Technical Subcommittee by representatives of United Nations bodies, the specialized agencies and other international organizations.

7. Several United Nations bodies and specialized agencies have extensive space-related programmes and have contributed to the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, particularly the secretariat of the International Decade for Natural Disaster Reduction, the United Nations Environment Programme, the Economic Commission for Africa, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme, the United Nations Institute for Training and Research, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the International Civil Aviation Organization, the International

Maritime Organization, the International Telecommunication Union and the World Meteorological Organization. Details of these programmes can be found in the yearly reports of the Secretary-General on coordination of outer space activities within the United Nations system. The latest report (A/AC.105/700) contains an overview of the work programme of United Nations bodies and agencies for 1998 and 1999.

8. The programmes and projects of the organizations of the United Nations system are coordinated at annual inter-agency meetings. At its nineteenth session, the Inter-Agency Meeting on Outer Space Activities had extensive discussions on the inter-agency coordination in matters relating to the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III). (See also section VIII below on UNISPACE III.) The Meeting agreed that UNISPACE III provided a unique opportunity for the organizations of the United Nations system to make greater use of space technology and its applications in fulfilling their mandates and to coordinate activities further, with particular focus on those which would be included in the plan of action of UNISPACE III. The Meeting submitted its collective views, as contained in annex I to its report (A/AC.105/701), to the Committee, in its role as the Preparatory Committee for UNISPACE III, at its 1998 session concerning the priority areas in which organizations within the United Nations system would strengthen their efforts to promote the utilization of space technology and its applications to assist in solving problems of global or regional significance.

IV. Studies

9. In response to the requests of the Working Group of the Whole at its tenth session, the Secretariat prepared and submitted to the Scientific and Technical Subcommittee at its thirty-fifth session, in 1998, the following reports and study: "Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space: international cooperation in the peaceful uses of outer space: activities of Member States" (A/AC.105/679 and Add.1-2) and "Applications of space communications technology to distance education" (A/AC.105/667).

10. Some of the technical studies requested by the Working Group of the Whole were integrated into background papers that the Secretariat had prepared for UNISPACE III. (See also section VIII below on UNISPACE III.) With the publication of those background papers, all the technical studies requested by the Working Group of the Whole were completed.

11. In accordance with recommendations of the Scientific and Technical Subcommittee, the Secretariat will prepare for submission to the Subcommittee at its 1999 session the following reports: reports from Member States and international organizations involved in space activities on their research on space debris, including practices that have been adopted and that have proved effective in minimizing the creation of space debris; reports from space agencies on various steps that they have taken to reduce the growth or damage potential of space debris; and reports from Member States on their research on the collision of orbiting space objects with nuclear power sources on board with space debris.

V. United Nations Programme on Space Applications

12. In paragraph 7 of its resolution 37/90 of 10 December 1982, the General Assembly endorsed the recommendations of the Conference that the United Nations Programme on Space Applications should be directed towards seven specific objectives. The activities conducted in 1997 by the Programme and the plans for the period 1998–1999 to meet those objectives are contained in the report of the United Nations Expert on Space Applications (A/AC.105/693 and Add.1 and Corr.1).

A. Training course/workshops/conferences/ symposium/seminar

13. Part of the activities carried out or planned under the Programme in 1998, in cooperation with other United Nations bodies, intergovernmental and non-governmental organizations and Governments of Member States, include the following training course, workshops, conferences, symposium and seminar:

(a) United Nations Seminar on the Age of Space Commercialization: Evolving Role of Governments and Industries in Enhancing International Cooperation in Space Activities, organized in cooperation with the Government of Austria;

(b) United Nations/Centre for Space Science and Technology Education in Asia and the Pacific Workshop on Emerging Trends in Satellite Meteorology: Technology and Applications, organized in cooperation with the Centre for

Space Science and Technology Education in Asia and the Pacific;

(c) Second United Nations International Conference on Spin-off Benefits of Space Technology, organized in cooperation with the International Society for Photogrammetry and Remote Sensing;

(d) United Nations Asia-Pacific regional preparatory conference for UNISPACE III, organized in cooperation with the Government of Malaysia and the European Space Agency (ESA);

(e) Eighth United Nations International Training Course on Remote Sensing Education for Educators, organized in cooperation with the Government of Sweden;

(f) United Nations/European Space Agency Symposium on Economic Benefits of Using Space Technology Applications in Developing Countries, organized in cooperation with the Government of Austria, the province of Styria, the city of Graz and ESA;

(g) First United Nations Workshop on International Search and Rescue Satellite System (COSPAS-SARSAT) for African Search and Rescue Points of Contact (SPOCs) of the Spanish Mission Control Centre (SPMCC), organized in cooperation with SPMCC of the Government of Spain and ESA;

(h) United Nations/International Astronautical Federation (IAF) Workshop on Expanding the User Community of Space Technology in Developing Countries, organized in cooperation with the Government of Australia and IAF;

(i) United Nations Latin American and Caribbean regional preparatory conference for UNISPACE III, organized in cooperation with the Government of Chile;

(j) Workshop on the Evaluation of the United Nations/Swedish International Development Agency International Training Course Series on Remote Sensing Education for Educators, organized in cooperation with the Government of Sweden;

(k) United Nations African and Middle East regional preparatory conference for UNISPACE III, organized in cooperation with the Government of Morocco.

14. In 1999, the following training course, workshops, conferences, symposium and seminar are planned:

(a) United Nations regional preparatory conference for UNISPACE III, to be held in Romania;

(b) Ninth United Nations/Sweden International Training Course on Remote Sensing Education for Educators, to be held at Stockholm;

(c) Third United Nations International Conference on Spin-off Benefits of Space Technology: Challenges and Opportunities;

(d) United Nations/ESA Workshop on Basic Space Science: World Space Observatory;

(e) United Nations/Austria symposium on the use of space technology for development, to be held at Graz, Austria;

(f) United Nations/IAF Workshop on Information in Support of Sustainable Management, to be held in the Netherlands;

(g) United Nations Third Seminar on Space Futures and Human Security, to be held in the province of Tyrol, Austria;

(h) United Nations/China workshop on applications of space technology in sustainable agricultural development, to be held in China.

B. Development of indigenous capability

15. In accordance with the recommendation of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space concerning the development of indigenous capabilities, the General Assembly, in resolution 45/72 of 11 December 1990, endorsed the recommendation of the Committee that the United Nations should lead an international effort to establish regional centres for space science and technology in existing national/regional educational institutions in the developing countries. In its resolution 50/27 of 6 December 1995, the Assembly endorsed the recommendation of the Committee that these centres be established on the basis of affiliation to the United Nations as early as possible. The Secretariat has made further progress in establishing regional centres for space science and technology education, affiliated to the United Nations and has provided updated information on its activities concerning the regional centres in the report of the United Nations Expert on Space Applications (A/AC.105/693 and Add.1 and Corr.1) and has also reported to the Committee on the latest status of this initiative.

16. The Centre for Space Science and Technology Education in Asia and the Pacific was inaugurated in India in November 1995, and its fifth education programme, focusing on space science, started in June 1998. The four

previous education programmes had focused on remote sensing and geographic information systems (two courses), satellite communications and satellite meteorology. Participation in the Governing Board of the Centre and in its activities is open to Member States of the region, and in due course and upon approval by the Governing Board, the Centre would grow into a network of nodes enabling it to fully utilize the resources and potential of the region.

17. As for the Centre for Space Science and Technology Education in Latin America and the Caribbean, the agreement establishing the Centre was ratified by the parliamentary bodies of its host countries, Mexico and Brazil, in 1997. Regarding the region of Africa, the Centres for Space Science and Technology Education for French-speaking African countries and for English-speaking African countries are expected to be inaugurated in Morocco and Nigeria, respectively, by the end of 1998.

18. In Western Asia, an evaluation mission, with the participation of technical experts from the Office for Outer Space Affairs and France, was dispatched in June 1998 to Jordan and the Syrian Arab Republic, which had continued to offer to host a regional centre for space science and technology education. Arrangements for the above region are under discussion between the Governments of the countries concerned and the United Nations.

19. In the case of eastern, central-eastern and south-eastern Europe, discussions among Bulgaria, Greece, Hungary, Poland, Romania, Slovakia and Turkey are in progress on the establishment of a network of space science and technology education and research institutions. Those countries agreed to work with the Office for Outer Space Affairs to undertake a study on the technical requirements, design, operation mechanism and funding of the network and decided that an evaluation mission for this purpose should be undertaken before the end of 1998. Italy also expressed its intention to support this initiative to establish the network.

C. Technical advisory services

20. In paragraph 7 (g) of its resolution 37/90, the General Assembly decided that the United Nations Programme on Space Applications should, upon request by Member States or any of the specialized agencies, be directed towards the provision or arrangements for provision of technical advisory services on space applications projects. With regard to that mandate, the Programme has provided or is providing assistance in the following areas:

(a) In collaboration with ESA and the Department of Economic and Social Affairs, in implementing a pilot programme, as follow-up to the series of training courses on European Remote Sensing Satellite (ERS) data applications, to enable scientists from Africa, Asia and the Pacific and Latin America and the Caribbean to receive and utilize ERS data of ESA in sustainable development projects;

(b) To the Government of Uruguay, in its follow-up, as *pro tempore* secretariat, of the recommendations of the Third Space Conference of the Americas;

(c) To the Government of the Republic of Korea, in the growth and operation of the Asia-Pacific Satellite Communications Council (see para. 23 below);

(d) In collaboration with ESA, in follow-up activities relating to the series of workshops on basic space science, including: operation of a radiotelescope in Colombia; refurbishment of the Kottamia Telescope in Egypt; participation of Egypt in the United States of America/Russian Federation Mars Mission 2001; circulation of a newsletter entitled *African Skies* for the astronomical community in Africa; and establishment of an astronomical telescope facility at the National University of Paraguay;

(e) To the region of Africa, in implementing the project entitled "Cooperative Information Network Linking Scientists and Professionals in Africa (COPINE)", which would establish an efficient communication network among African and European professionals and scientists at the national, continental and intercontinental levels, and would allow for the exchange of valuable information on health care, agriculture, education, science and technology, and the management and monitoring of natural resources and environment;

(f) In collaboration with the Government of Sweden, in evaluating the impact of the series of United Nations/Sweden international training courses on remote sensing education for educators, organized in 1990 and annually from 1992;

(g) In collaboration with space agencies and international organizations which use Earth observations data, in an initiative by the Committee on Earth Observation Satellites to review the efforts of space agencies and user organizations in the past 25 years in observing the Earth, assess the capabilities of Earth observation systems and develop a reference document;

(h) To the small island developing States in Asia and the Pacific, in developing and implementing a proposal to establish a satellite-based warning broadcasting service, and to those in the Caribbean, in developing a project to use

space technology for the protection of the coastal environment and the enhancement of disaster preparedness;

(i) To the United Nations Industrial Development Organization, in developing a project proposal for the management of large marine ecosystems in the Gulf of Guinea in West Africa;

(j) To the United Nations International Drug Control Programme, in developing and implementing a space-related segment of the system for monitoring illicit crops, within the framework of the global plan for the elimination of illicit crops.

D. Long-term fellowships

21. In promoting the development of indigenous capability, seven long-term fellowships will be awarded for the in-depth training of individuals from developing countries in the areas of space antennas and propagation; remote sensing information systems; remote sensing instrumentation; photogrammetry and remote sensing; and geodesy and cartography. For the 1998–1999 period, the Government of China has offered two fellowships, and ESA has renewed its offer of fellowships.

E. Regional mechanisms of cooperation

22. In accordance with General Assembly resolution 52/56, the Secretariat continued its efforts to strengthen the regional mechanisms of cooperation in carrying out various activities in the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space.

23. The efforts of the Programme made through its advisory service to the Government of the Republic of Korea resulted in the rapid growth and operation of the Asia-Pacific Satellite Communications Council (APSCC), which aims at promoting cooperation and harmonization in the development and utilization of satellite communications in the region. The growing recognition of the Council since its establishment has resulted in its broad international membership.

24. The establishment of regional centres for space science and technology education, the primary goal of which is to enhance the academic and professional capabilities as well as the technical infrastructure in space science and technology in the institutions in developing countries in each region, is also viewed as being very much a part of the Secretariat's effort to strengthen mechanisms of regional cooperation. Once established, each centre would be able to expand and become part of a network that could cover specific programme elements in established institutions related to space technology in each region.

25. The follow-up activities to the workshops on basic space science (see para. 20 (d) above) also resulted in the enhancement of regional cooperation. The assistance provided to the Governments of Colombia, Egypt, Paraguay and the astronomical community in Africa contributed to the development of international astronomical observatory networks and the enhancement of research opportunities in the fields of astronomy and planetary sciences in Western Asia, Latin America and Africa.

26. The Programme continues to contribute to the implementation of the recommendations of the Third Space Conference of the Americas, which adopted the Punta del Este Declaration (A/51/682, annex). The Declaration reaffirms the commitment of States in the Americas to the exploration and peaceful uses of outer space. The Conference adopted a plan of action, aimed at promoting and strengthening multilateral cooperation programmes in the region.

27. In the context of the preparations for UNISPACE III, the Programme contributes to strengthening regional cooperation towards achieving the objectives of UNISPACE III by holding regional preparatory conferences in Africa, Asia, Latin America and the Caribbean and Eastern Europe. (See section VIII below on UNISPACE III.)

VI. International Space Information Service

28. In paragraph 8 of its resolution 37/90, the General Assembly decided to establish an International Space Information Service, consisting initially of a directory of sources of information and data services to provide direction, upon request, to accessible data banks and information sources.

29. With regard to that mandate, the International Space Information Service published *Highlights in Space* (A/AC.105/691 and Corr.1), based on annual reports prepared by COSPAR and IAF, including a submission by the International Institute of Space Law (IISL); the ninth volume of *Seminars of the United Nations Programme on Space Applications* (A/AC.105/690), containing selected papers from the seminars, workshops and training courses of the Programme in 1997; and *Education, Training,*

Research and Fellowship Opportunities in Space Science and Technology and its Applications: A Directory (A/AC.105/671).

30. Further progress has been made to augment the International Space Information Service through the development of the home page on the Internet. The home page of the Office for Outer Space Affairs currently contains information on all the space-related legal instruments adopted by the General Assembly, information on the Committee and its subsidiary bodies, including the latest information on UNISPACE III, an overview of the Programme on Space Applications, space-related information submitted by Member States and a "frequently-asked questions" page where common questions relating to the United Nations and outer space are answered.

VII. Voluntary contributions

31. In paragraph 10 of its resolution 37/90, the General Assembly appealed to all Governments to make voluntary contributions, either in money or in kind, towards carrying out the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space. In his note verbale dated 11 March 1983, the Secretary-General brought that paragraph to the attention of Member States, particularly with respect to the newly mandated and expanded activities of the United Nations Programme on Space Applications. Member States and intergovernmental organizations that have responded to this appeal since the fifty-second session of the Assembly have been mentioned under appropriate headings in the report of the Committee on the Peaceful Uses of Outer Space.[2]

VIII. Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space

32. In paragraph 23 of its resolution 52/56, the General Assembly agreed that the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III)[3] shall be convened at the United Nations Office at Vienna from 19 to 30 July 1999 as a special session of the Committee on the Peaceful Uses of Outer Space, open to all States Members of the United Nations. In the same resolution, the Assembly requested the Preparatory Committee, the Advisory Committee and the executive secretariat to carry out the tasks entrusted to them in the report of the Committee on its fortieth session[4] and to report to the Assembly at its fifty-third session on the progress made in the preparatory work for UNISPACE III. The Committee on the Peaceful Uses of Outer Space, its Scientific and Technical Subcommittee and the Office for Outer Space Affairs have been acting as the Preparatory Committee, Advisory Committee and the executive secretariat, respectively, in response to a request by the Assembly in its resolution 51/123 of 13 December 1996.

33. In accordance with General Assembly resolution 52/56, paragraph 17, the Scientific and Technical Subcommittee reconvened the Working Group of the Whole to assist the Advisory Committee in giving full consideration to the tasks entrusted to it by the General Assembly. The Working Group provided detailed comments on the structure and content of the text of a document which had been prepared by the executive secretariat in response to a request by the Preparatory Committee at its 1997 session and which contained elements to be considered for inclusion in the full draft report of UNISPACE III. The Working Group also made recommendations concerning the organization of UNISPACE III, including the establishment of main committees and the composition of the bureau, consideration of agenda items, the participation of international organizations and industry, rules of procedure, establishment of a Technical Forum[5] as a technical body of UNISPACE III and organization of regional preparatory conferences. The Advisory Committee noted that the report of the Working Group (A/AC.105/697 and Corr.1, annex II) provided the basis for the Preparatory Committee to carry out the tasks entrusted to it by the General Assembly.

34. The Preparatory Committee considered the matter and endorsed the recommendations of the Working Group of the Subcommittee and the Advisory Committee. The Preparatory Committee decided to establish a Working Group of the Whole to assist the Committee in carrying out the tasks entrusted to it by the General Assembly and requested the Working Group to give full consideration to those tasks relating to the preparation of the draft report of UNISPACE III and the provisional rules of procedure. The Working Group conducted a detailed consideration of the text of the first full draft report of UNISPACE III, including "The Space Millennium: Vienna Declaration on Space and Human Development" (A/CONF.184/PC/L.1), which had been prepared by the Secretariat. The Working Group provided detailed comments concerning the structure and text of the report and prepared a draft text of the executive summary of the report. The Working Group noted that the executive secretariat would revise the text of the report, on the basis of comments made by the Working Group, and circulate the second full draft report to Member States at the end of

September 1998, including the Vienna Declaration and the executive summary. The Working Group also agreed on the text of the provisional rules of procedure, which is contained in annex to the report of the Committee on the Peaceful Uses of Outer Space,[2] and recommended that the provisional rules of procedure should be submitted to the General Assembly for its endorsement at its fifty-third session.

35. The Preparatory Committee agreed with the recommendations made by its Working Group of the Whole. Concerning the organizational aspects of UNISPACE III, the Preparatory Committee made recommendations, including those relating to the participation of intergovernmental and non-governmental organizations and private industry. The Preparatory Committee agreed that the Advisory Committee at its 1999 session should reach agreement on the distribution of posts of the bureau of the Conference, allocation of agenda items between main committees and substantive agenda items to be considered by workshops and seminars to be organized within the framework of the Technical Forum. In that connection, the executive secretariat was requested to submit proposals to assist the Advisory Committee in considering those matters at its 1999 session.

36. The Preparatory Committee noted that the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space had agreed to make a contribution to the deliberations of UNISPACE III on issues relating to the promotion of international cooperation in space-related activities and the development of space law, as well as other relevant legal issues. The Committee endorsed the recommendation of the Subcommittee that the Chairman of the Legal Subcommittee should report to UNISPACE III on the work of the Subcommittee, including its past achievements, current work and new challenges in the development of space law.

37. The Preparatory Committee noted with satisfaction that, within the framework of the United Nations Programme on Space Applications and with the co-sponsorship of ESA, the regional preparatory conference for UNISPACE III for Asia and the Pacific had been successfully held at Kuala Lumpur from 18 to 22 May 1998. The Committee also noted that regional preparatory conferences for UNISPACE III would also be held at Concepción, Chile, from 12 to 16 October 1998, at Rabat from 26 to 30 October 1998 and in Romania from 25 to 29 January 1999. The Preparatory Committee also noted with satisfaction that, in response to its request made at its 1997 session, the executive secretariat had prepared background papers (A/CONF.184/BP/1–12) covering the topics included in the provisional agenda for UNISPACE III.

38. The deliberations of the Preparatory Committee are contained in paragraphs 23 to 44 of the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-first session.[2]

39. In 1999, the Advisory and Preparatory committees will meet from 22 to 26 February and from 14 to 16 July, respectively, to consider the revised version of the draft report (A/CONF.184/PC/L.1/Rev.1), with a view to reaching agreement on the text, and to finalize all arrangements for UNISPACE III. Outcomes of their 1999 sessions will be reported to the pre-Conference consultations on 18 July, which will be open to all States participating in UNISPACE III.

Notes

[1] See *Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9–21 August 1982* (A/CONF.101/10 and Corr.1 and 2).

[2] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 20* (A/53/20).

[3] The primary objectives of UNISPACE III, as adopted by the General Assembly in its resolution 52/56 and contained in document A/AC.105/672, annex II, are as follows: (a) to promote effective means of using space technology to assist in the solution of problems of regional or global significance; and (b) to strengthen the capabilities of Member States, in particular developing countries, to use the applications of space research for economic, social and cultural development.

[4] Ibid., *Fifty-second Session, Supplement No. 20* (A/52/20).

[5] The Technical Forum consists of technical presentation sessions, workshops/seminars, a poster session, public evening lectures and a space exhibition. The organization of the space exhibition, with the participation of space-related industries, is coordinated by the American Institute of Aeronautics and Astronautics.

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Human resources management

Performance management

Report of the Secretary-General

Summary

The present report responds to sections II and III of General Assembly resolution 52/2[illegible] of 22 December 1997. It provides information on the development and implementation of the performance appraisal system over the past year, including with respect to measures taken to refine and simplify the system, the monitoring mechanisms established with a view to ensuring consistency of application and the supporting staff development programmes. It also reports on the step-by-step approach being taken by the Secretary-General, in consultation with staff, towards the introduction of a system of performance awards and bonuses.

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1. The present report responds to sections II and III of General Assembly resolution 52/219 of 22 December 1997 on implementation of the Performance Appraisal System (PAS) and on a system of performance awards or bonuses respectively.

I. Implementation and development of the Performance Appraisal System

Introduction

2. The Performance Appraisal System was introduced into the Organization pursuant to General Assembly resolution 49/222 A of 23 December 1994, in which the Assembly requested the Secretary-General to introduce a new performance appraisal system that would hold managers and staff accountable for their individual performance. Pursuant to staff rule 112.6, PAS applies to all staff members, up to and including Under-Secretaries-General, holding appointments of at least one year under the 100 series of Staff Rules.

3. PAS, which is based on performance management principles recommended for the United Nations common system by the International Civil Service Commission (ICSC), is one element of the Secretary-General's overall efforts to introduce into the Secretariat a results-based culture of performance. The system is designed to serve as a line management and staff development tool to improve overall organizational performance, and is an important element in a strengthened system of accountability. It is based on linking individual work plans with those of departments and offices and emphasizes goal setting, planning, up-front performance expectations and ongoing feedback. An important function of PAS is to promote communication between staff members and supervisors on the goals to be achieved and the basis on which individual performance will be assessed.

4. In its resolution 51/226 of 3 April 1997, the General Assembly requested the Secretary-General to report on the findings of the review of the first cycle of PAS. Subsequently, the Secretary-General submitted a report on the implementation of PAS (A/C.5/51/55 and Corr.1) in which he reviewed the first full year of implementation and outlined the modifications being made to improve the system in the light of feedback received from staff and management throughout the Secretariat.

5. By its resolution 52/219, the General Assembly encouraged the Secretary-General to continue his efforts to refine and simplify the system, in particular its administrative aspects, and reiterated the importance of PAS being implemented consistently throughout the Secretariat so as to achieve an effective and fair performance management and staff development tool. The Secretary-General was requested to monitor the application of the performance appraisal system and to report thereon to the Assembly.

6. The present progress report is intended to provide the General Assembly with information on the development and implementation of PAS since the previous report of the Secretary-General, including actions taken pursuant to Assembly resolution 52/219. It provides information on the measures taken to refine and simplify the performance appraisal system, in particular its administrative aspects, the current status of PAS implementation in the Organization, the monitoring mechanisms in place with a view to ensuring consistency of application, and staff development programmes supporting performance management.

Review and simplification of the Performance Appraisal System

7. As indicated in his report (A/C.5/51/55 and Corr.1) and in accordance with General Assembly resolution 52/219, after the first full year of implementation, the Secretary-General reviewed the system by seeking feedback from staff and managers throughout the Secretariat. The feedback indicated that while the value of the underlying concepts and principles on which the system is based were widely recognized, it was necessary to significantly simplify the processes, which were considered to be overly complex and burdensome.

8. Accordingly, the PAS processes, forms and materials were reviewed with a view to simplifying the process, increasing managerial accountability and improving the linkages to staff development. Staff and management were consulted on the revised PAS, which was designed to provide a format flexible enough to accommodate all occupations, ranging from routine activities of a continuing nature to multidimensional activities with changing priorities. It incorporated the following major changes:

(a) The forms are written in clear, straightforward language;

(b) The number of steps in the implementation process has been reduced significantly;

(c) Only one form is used for both planning and appraisal;

(d) Department/office and work unit plans are required to be drawn up only once every two years instead of annually, for those departments wishing to do so; individual work plans and appraisals continue to be done annually;

(e) All staff with supervisory/managerial responsibilities are required to have additional goals that relate to managing human and financial resources; leading, motivating and developing staff; and demonstrating gender and cross-cultural responsiveness;

(f) All staff members are asked to indicate at least one professional development goal to be achieved during the reporting period;

(g) The long and confusing lists of "performance dimensions" have been replaced by three "umbrella" dimensions taken directly from the Charter of the United Nations competence, efficiency and integrity;

(h) The mid-year review requires no written comments, except in cases where plans have changed or performance gaps exist;

(i) Numerical ratings have been replaced by narratives.

9. A revised administrative instruction describing the simplified process was issued. In addition, the implementation guidelines were significantly shortened (from 59 to 8 pages) and were written in simple, straightforward language, and a more user-friendly electronic version of the form was developed. The revised PAS forms and guidelines were issued in December 1997 in time for use in the 1998 cycle. A simplified electronic form was released simultaneously.

10. In addition to greatly simplifying the administrative aspects, revision of PAS aims to enhance managerial accountability in managing the performance and contributing to the development of their staff, as well as demonstrating gender and cross-cultural responsiveness. It also encourages all staff to take greater responsibility for their own development and career progression by requiring staff to indicate at least one professional development goal to be achieved during each reporting period.

Status of implementation of the Performance Appraisal System in the Organization

11. A major organizational objective during the initial phases of PAS implementation was to introduce the overall concepts of the new approach to performance management embodied in PAS, namely, performance planning, prioritization, monitoring, feedback, review and appraisal. The primary responsibility for implementing and ensuring effective application of PAS rests with heads of department or office and supervisors. Line managers are increasingly assuming a leadership role in this process. (Currently, 14 departments and offices have reported that they have implemented PAS during two cycles, 6 have implemented PAS during one cycle, and the remaining 7 are commencing implementation in 1998.)

12. In accordance with administrative instruction ST/AI/1997/8, oversight of implementation of the system at the departmental level is provided by the Management Review Committee, which is to be established in each department or office. The members, who are appointed by the head of department or office, are normally senior line managers. The Committee oversees and reviews the overall process of PAS implementation at the departmental level in order to ensure consistency at all phases of the process. Monitoring reports indicate that Management Review Committees have now been established and are operational in a majority of departments and offices.

13. The Office of Human Resources Management, in its advisory and monitoring capacity, continues to make every effort to assist departments and offices in introducing the concepts and implementing the process. It also monitors implementation across the Secretariat to assist managers and help to ensure fair and consistent application of the system.

Performance Appraisal System monitoring mechanisms

14. The system provides for monitoring mechanisms at the departmental and global levels, namely, the Joint Monitoring Committee and the Global Joint Monitoring Committee. The terms of reference for these committees were agreed upon by the Staff-Management Coordination Committee in June 1997 and issued in administrative instruction ST/AI/1997/5 of 14 October 1997.

Joint Monitoring Committee

15. The objective of the departmental Joint Monitoring Committee is to monitor and report on the implementation of PAS in the respective department or office with regard to timeliness of the process, compliance with procedures and overall results. The committees, which have been formed in a majority of departments and offices, are required to draw

the attention of the appropriate Management Review Committee to any problems they perceive in the implementation of PAS and to propose possible solutions, as well as to prepare compliance reports on implementation for consideration by the Global Joint Monitoring Committee.

Global Joint Monitoring Committee

16. On the basis of reports submitted by Joint Monitoring Committee the Global Joint Monitoring Committee is required to examine policy issues involved in PAS implementation and to prepare an annual report on the implementation of PAS throughout the Secretariat to be submitted to the Secretary-General.

17. The first Global Joint Monitoring Committee met on 20 May 1998. The Committee, as required in its terms of reference, reviewed the status of implementation of the performance appraisal system throughout the Secretariat and examined policy issues involved in the process. The Committee expressed its commitment to the organizational goal of institutionalizing a performance-based management culture and recognized PAS as one of the key management tools to achieve that goal.

18. The Global Joint Monitoring Committee further emphasized the role of senior management in implementing the system, not only through oversight, but also by participating in the process and in supporting the development of their staff. The Committee recognized that PAS represented a significant delegation of authority in the management of human resources and that it should serve as a major building block in the overall reform of the Organization. It was recommended that the Organization refrain from further modifying the system until the current newly revised system has been fully implemented for a reasonable period of time.

Staff development programmes to support performance management

19. The Organization has put in place a range of development programmes for staff at all levels aimed at supporting the implementation of effective principles of performance management and building the requisite skills, such as work planning, team building, providing feedback, coaching and appraising staff.

20. A major focus in the last two and a half years has been the introduction of a people management training programme implemented globally, beginning with senior management. Some 95 per cent of all Director-level staff have participated in the programme, as well as a significant number of staff at the P-4 and P-5 levels with supervisory responsibilities. Follow-up to the people management programme has now begun. The follow-up will be implemented on a departmental basis, bringing together the heads of each respective department with their senior and middle-level managers to focus on work planning, team building and internal accountability mechanisms.

21. In addition to the people management training programme, a supervisory skills programme has been instituted for senior General Service and junior Professional staff with supervisory responsibilities. The supervisory programme focuses on setting goals, delegating, coaching, providing feedback, motivating and communicating effectively. Other supportive programmes include collaborative negotiation skills for both Professional and General Service staff and a new General Service development programme, which complements the management and supervisory skills programmes and focuses on communication, teamwork, client service and work management skills.

Conclusion

22. Lessons learned from other organizations have shown that the process of establishing a performance management system is a long-term endeavour that requires significant organizational culture change and continuous learning, as well as attitudinal change on the part of both staff and management. In this regard, the challenges faced in introducing performance management at the United Nations are no different from those faced by other organizations. Experience elsewhere has demonstrated the importance of strong managerial support and linkages to other human resources systems, including consequences for different levels of performance.

23. The Organization will continue to draw from best practices in both the public and private sectors and to work with other organizations of the United Nations system to ensure that the United Nations benefits from the common system experience in performance management. The implementation of the system will be kept under review, and further development and refinement may be required in the light of continuing experience.

II. System of performance awards or bonuses

Background

24. The General Assembly, in its resolution 51/216 of 18 December 1996, requested the Secretary-General to make operational proposals to it by 1 October 1997, for consideration at its fifty-second session, on the possibility of introducing a system of performance awards or bonuses, in the context of PAS, to a limited number of staff in recognition of their outstanding performance and specific achievements in a given year. ICSC was also requested by the Assembly to provide general comments on the concept of performance awards and bonuses to the Assembly at its fifty-second session.

25. Pursuant to that request, the Secretary-General submitted a report on a system of performance awards or bonuses to the General Assembly at its fifty-second session (A/52/439). The Secretary-General noted that he was addressing the issue in the context of his overall efforts to introduce a performance-based, results-oriented organizational culture. A significant step in that direction had been the introduction of a new PAS, which ultimately must provide the basis for any system of recognition and rewards. The new system was, however, not yet sufficiently rooted in the Organization to support a system of awards and bonuses.

26. Accordingly, the Secretary-General recommended that a step-by-step approach be taken, in consultation with staff, towards the introduction of performance recognition measures. He indicated that, in addition to rewarding outstanding performance, steps must be taken to deal systematically and effectively with underperformance. He also stressed that reward and recognition programmes should not be a substitute for improvements in the overall remuneration package and conditions of employment of staff.

27. In its resolution 52/219, the General Assembly approved the report of the Secretary-General and urged him to adopt, in consultation with staff, a step-by-step approach to the introduction of a system of performance awards or bonuses, taking into account the comments and recommendations of ICSC on the matter.[1]

Underlying principles

28. In formulating proposals in this area, the Secretary-General has been guided by the work of ICSC and consultations with staff and management. Accordingly, he considers that the following principles should serve as the basis for developing a system of performance awards or bonuses:

(a) A system of performance awards or bonuses can be implemented only in an environment where the management culture of the Organization optimizes performance at all levels – individual, team and organizational;

(b) Any such system should focus on enhancing responsibility and accountability at all levels, increasing staff participation in the planning, delivery and evaluation of work and strengthening shared common values and standards across the Organization. Therefore, a viable performance recognition programme is an integral part of the overall human resources strategy and is linked to the Organization's performance management system;

(c) In particular, the management culture of the Organization must recognize performance, achievement and learning, and mechanisms to ensure managerial accountability must be in place;

(d) Any performance recognition programme should ensure that cooperative teamwork is not discouraged by an excessive emphasis on individual contributions;

(e) Rewarding outstanding performance and addressing underperformance should not detract from recognition of the fully satisfactory performance of the majority of staff who form the backbone of the Organization. Increased appreciation for the efforts of those staff by their managers should be encouraged;

(f) The development of a performance awards or bonuses system should not be a substitute for fair and adequate compensation that ensures competitive conditions of service, nor should it be a replacement for promotion and career development opportunities;

(g) Any such system must be transparent and its results should be publicized in an appropriate manner;

(h) While any performance recognition system must be implemented in the context of the performance appraisal system, it is essential that the new PAS be sufficiently well-established throughout the Organization before a Secretariat-wide programme is introduced.

Development of a performance recognition programme

29. On the basis of the above-mentioned principles, the Secretary-General consulted management and staff, through the Staff-Management Coordination Committee, on the implementation of a step-by-step approach towards the development of a performance recognition programme. There was widespread recognition that the success of a performance management system requires that there be consequences linked to different levels of performance. While Secretariat-wide implementation of PAS was proceeding steadily, it was considered that it was not yet sufficiently well-established throughout the Organization to support a Secretariat-wide performance awards programme. It was also felt that further attention should be given to developing a culture of recognition and putting in place mechanisms to ensure accountability of managers and to build confidence among the staff.

30. As an initial step, therefore, the Secretary-General proposes a step-by-step approach in consultation with the staff. While working to institutionalize the performance appraisal system, the Organization will begin introducing a range of non-monetary awards, for both individuals and teams, in line with those suggested by ICSC. This will allow additional time to ensure that PAS is well-established throughout the Organization to support the possibility, at a later stage, of introducing other awards.

31. It is proposed that pilot performance awards programmes be developed, in consultation with staff, and that experience of existing projects in various parts of the Secretariat be shared with other duty stations.

32. The necessity of developing objective and transparent criteria for the granting of recognition awards and a mechanism for selecting recipients was also noted. Selection by some form of joint staff-management review group was favoured, without creating an unnecessary bureaucracy. Recognition awards should be applicable to individuals or teams at all levels, and emphasis should be placed on enhancing teamwork and building team spirit. Further consideration would need to be given to the selection of culturally sensitive ways of expressing recognition.

Types of awards

33. Examples of non-monetary awards will be reviewed against the background of practices established by the comparator and other outside employers. Research and experience has shown that personalized, informal and immediate recognition by supervisors is a most powerful motivator in an organizational setting. Moreover, non-cash awards have often proven to be more effective than financial incentives. Accordingly, managers will be encouraged to explore a range of means of giving expression to such personal recognition, including certificates, formal recommendations, letters of appreciation, provisions for additional development opportunities, etc. Some offices have already initiated action in this regard, and best practices should be shared throughout the Organization.

34. At a later stage, consideration might be given to other forms of awards, possibly travel, sabbaticals or study leave, as well as cash awards or bonuses.

Underperformance

35. The Secretary-General is also conscious of the need to address the issue of underperformance in an effective way. The credibility of any performance appraisal system is based on the proper identification of superior performance and its subsequent recognition, as well as the early detection of performance that does not meet expectations, in part or in full, and the subsequent implementation of measures to improve this underperformance. Accordingly, the identification and appropriate treatment of underperformance should be regarded as an integral part of the Secretary-General's performance management strategy.

36. Early detection and implementation of corrective actions are crucial to the proper treatment of underperformance. In situations where a staff member is not performing up to standard, the problem must be addressed at an early stage in order to help the staff member address performance gaps as well as to maintain staff morale. The management of underperformance is a responsibility shared by both staff and management. While staff members bear primary responsibility for their day-to-day performance, supervisors are responsible for fostering a supportive environment.

Identification of underperformance

37. In accordance with administrative instruction ST/AI/1997/8, in the context of PAS supervisors and staff are expected to agree upon goals and success criteria at the beginning of each performance period. If it is determined that, despite ongoing monitoring and feedback, the staff member is not able to meet the expectations set out in the

plan, it is expected that a rating of "partially meets performance expectations" or "does not meet performance expectations" would be given. Those ratings indicate the existence of shortcomings that should be addressed with a specific remedial plan.

Measures to address underperformance

38. As soon as a performance shortcoming is identified, the supervisor should discuss the situation with the staff member and take steps to rectify the situation. This may include the development of a performance improvement plan in consultation with the staff member. Remedial measures may include on-the-job training, coaching, mentoring, formal training or self-study. Supervisors should monitor progress in such cases carefully.

39. In accordance with administrative instruction ST/AI/1997/8, a rating of "partially meets performance expectations" may justify the withholding of a within-grade increment, particularly if the same rating is given for a second consecutive year. A rating of "does not meet performance expectations" may lead to a number of administrative actions, such as transfer to a different post or function, the withholding of a within-grade increment, the non-renewal of a fixed-term contract or separation for unsatisfactory service.

40. Within-grade increments are granted when the performance is "satisfactory", as required by staff rule 103.8(a). A rating of "partially meets performance expectations" does not necessarily mean that the performance is not satisfactory, as there can be many reasons why a staff member has not fully met the goals set at the beginning of the performance year. This would be the case, for instance, when a staff member has assumed new functions and has experienced some difficulties in performing them but is taking appropriate action to overcome them. In such cases, the within-grade increment could be granted at the end of the first year, but the same rating at the end of the second year would show that no substantial improvement had taken place, and appropriate action should be taken. A rating of "does not meet performance expectations" would in most cases be inconsistent with a finding that the performance was "satisfactory", and would as a result justify withholding a salary increment.

41. In certain instances of underperformance a letter of reprimand may be warranted. Such situations might include instances in which the underperformance takes the form of non-performance or refusal to perform the tasks agreed to in the performance plans or where there is continued underperformance despite the existence of a performance improvement plan.

42. In cases where a staff member, for specific reasons, is not able to carry out tasks that have been assigned in a particular function, it may be necessary to reassign him or her to other duties that he or she can carry out satisfactorily at the same grade level.

43. When the performance of a staff member on a fixed-term appointment does not reach an acceptable level, the Organization may decide not to renew the appointment. Documented poor performance would also justify termination of a probationary appointment before the end of the probationary period, as well as a decision not to grant a permanent appointment at the end of the probationary period, at which time the staff member would be separated from service. A permanent appointment can be terminated under staff regulation 9.1(a) if the services of the individual concerned have proved unsatisfactory.

Conclusion

44. In the context of the Secretary-General's efforts to introduce a performance-based culture, a significant step has been taken with the introduction of a new performance appraisal system, which ultimately must provide the basis for any system of recognition and rewards. The system is, however, not yet sufficiently established throughout the Organization to support a Secretariat-wide performance recognition system or a system of monetary awards.

45. While adopting a phased approach to the introduction of awards or bonuses, the Secretary-General would wish to underscore that any programme of performance recognition must be aimed at improving morale and productivity and enhancing overall organizational performance. In addition, reward and recognition programmes should not be considered a substitute for improvements in the overall remuneration package and conditions of employment that enable the Organization to attract and retain high-quality staff. As requested by the General Assembly, the Secretary-General intends to continue his step-by-step approach to this issue, in consultation with the staff, and will keep the Assembly informed.

Notes

[1] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 30* (A/52/30), chap. VI, sect. B.

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Sustainable development and international economic cooperation: implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II)

Sustainable development and international economic cooperation: implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II)

Proposals on the scope and organizational aspects of the special session of the General Assembly on the overall review and appraisal of the implementation of the Habitat Agenda

Report of the Secretary-General

Summary

1. In paragraph 218 of the Habitat Agenda, which was adopted by the second United Nations Conference on Human Settlements (Habitat II) held in Istanbul, Turkey, from 3 to 14 June 1996, the Conference recommended that the General Assembly should consider holding a special session in the year 2001 for an overall review and appraisal of the implementation of the outcome of Habitat II and should consider further actions and initiatives. After its consideration of the matter at its fifty-second session, the General Assembly decided, in paragraph 12 of its resolution 52/190 of 18 December 1997, to hold a special session of the General Assembly in the year 2001 for an overall review and appraisal of the implementation of the outcome of the second United Nations Conference on Human Settlements (Habitat II), the modalities of which will be decided on at its fifty-third session.

2. The present report has been prepared with a view to assisting the General Assembly in its consideration of the above-mentioned modalities for the special session. It contains, *inter alia*, proposals on (a) the scope and substantive aspects of the special session, (b) the

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organizational aspects of the special session, including the preparatory process, (c) the roles of the Commission on Human Settlements, the Economic and Social Council and the General Assembly in that process, and (d) the involvement of partners and relevant United Nations organizations and agencies in the review and appraisal process.

3. An indicative timetable for the preparatory process for the special session is also annexed hereto.

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I. Introduction

A. Mandate

1. In its resolution 51/177 of 16 December 1996 the General Assembly endorsed the Istanbul Declaration on Human Settlements and the Habitat Agenda, which were adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996. In paragraph 13 of the same resolution, the General Assembly reaffirmed that the General Assembly and the Economic and Social Council, in accordance with the relevant provisions of the Charter of the United Nations and relevant resolutions, including Assembly resolutions 48/162 of 20 December 1993 and 50/227 of 24 May 1996, together with the Commission on Human Settlements, shall constitute a three-tiered intergovernmental mechanism to oversee the coordination of activities for the implementation of the Habitat Agenda. Subsequently, and pursuant to a recommendation of the Conference, the General Assembly, in paragraph 12 of its resolution 52/190 of 18 December 1997, decided to hold a special session of the General Assembly in the year 2001 for an overall review and appraisal of the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II), the modalities of which will be decided on at its fifty-third session.

B. Background: second United Nations Conference on Human Settlements (Habitat II) and related processes

2. The Conference on Human Settlements at Istanbul brought to a close a remarkable continuum of United Nations conferences held over the last decade of the twentieth century. Focusing on education (1990), children (1991), environment and development (1992), human rights (1993), population (1994), social development (1995), women (1995) and human settlements (1996), this cycle of United Nations conferences elaborated a global agenda for sustainable development and for the work of the United Nations, government and civil society well into the next century.

3. Having the advantage of being held as the closing United Nations conference of the decade, Habitat II had the opportunity of drawing key principles from the deliberations of other conferences and of forging a comprehensive plan of action into concrete commitments and actions at the level where they matter most: the cities, settlements and communities where people work and live.

4. The Conference was also unique in that, drawing lessons and inspiration from the experience of previous United Nations conferences, it was conceived from the very onset as a conference of partnerships.

5. For the first time at a United Nations conference, local authorities and locally elected leaders, parliamentarians, trade union and business leaders, non-governmental organizations, scientists, women and youth groups, professionals and researchers were engaged, not as passive bystanders, but as active participants and full partners. As the Secretary-General pointed out to the world leaders assembled at Istanbul in June 1996, the Conference was the first United Nations Conference to have given, as a part of its official machinery, a platform to representatives of civil society.

6. As a result, the government leaders assembled at Istanbul endorsed this inclusive approach by adopting an enabling strategy based on the three principles of (a) partnerships, (b) participation and (c) decentralization as the most effective approach for realizing the commitments made during the Conference.

7. A comprehensive framework has been set in place to ensure sustainability and cost-effectiveness for the momentum generated at Istanbul. This framework is based on the full mobilization of existing programmes within the United Nations system as well as the resources and initiatives of all Habitat Agenda partners and representatives of civil society.

8. This framework is based on the Habitat Agenda, which contains five strategic objectives to guide its implementation:

(a) Creating partnerships between all the key stakeholders to encourage the cooperation and increase the effectiveness of each partner;

(b) Adopting enabling approaches by national and local authorities to encourage all potential partners to exercise their responsibilities and rights in the development process;

(c) Developing participatory mechanisms to allow all the stakeholders to engage in decision-making processes for improving their living environment;

(d) Building skills, expertise, knowledge and know-how among all the partner groups to enhance the quality of civic engagement, participation and partnerships;

(e) Monitoring and assessing progress through networking among partners utilizing modern information techniques.

9. Working in close partnership with the rest of the United Nations system and partners in civil society, the United Nations Centre for Human Settlements (Habitat), in its capacity as focal point for the Habitat II follow-up, issued a series of guides for implementing the Habitat Agenda. These guides are all available on the Habitat website (http://www.unhabitat.org/partners/index.html) and include guides for national committees, civil society organizations, local authorities, the private sector and parliamentarians. Guides on best practices and urban indicators have also been issued, as has an overview paper on monitoring progress in implementing the Habitat Agenda.

10. Member States can therefore count on a powerful process of mobilization of civil society partners at the global, regional, national and local levels. It must be kept in mind, however, that the ultimate responsibility for the successful implementation of the Habitat Agenda rests with Governments. Of particular importance is the support of Member States to developing countries. For this purpose, guidelines for the United Nations Resident Coordinator System on the implementation of the Habitat Agenda have been discussed through the appropriate inter-agency coordination mechanisms, finalized and distributed to all Resident Coordinators in the field.

11. A little over two years after the Habitat II Conference, the stage is set for a concrete, coordinated implementation process of the Habitat Agenda. What is now needed is for this process to be sustained at the highest political level and for the broadest possible effort to be made to build on successes, recognize failures and identify important gaps to move the Habitat Agenda ahead into the next century.

II. Scope and substantive aspects of the special session and its preparatory process

A. Action at the national and local levels

12. As agreed at the Habitat II Conference, Governments have the primary responsibility for implementing the Habitat Agenda (para. 213). The overall review and appraisal of the Habitat Agenda in the year 2001 (Istanbul + 5) will review progress made at national and local levels and will assess the appropriateness of mechanisms that have been established at national levels to coordinate and support the different activities set up by Governments at the national and local levels in cooperation with partners from civil society. This call for action at the national level was reiterated in General Assembly resolution 51/177 (*inter alia*, paras. 6, 7, 8, 10). The special session should consider ways through which implementation at national and local levels could be further promoted and supported. Apart from assessing the effectiveness of coordinating, supporting and implementing mechanisms, this should include consideration of experience with disseminating and learning from best practices and capacity-building activities at the local government level. Drawing from lessons learnt in implementing Agenda 21 through the setting up of local Agenda 21 initiatives, the special session should also focus its review on implementing the Habitat Agenda through actions at the local level and should make recommendation for future directions.

13. A particular focus of the special session should be on assessing the legal, administrative, financial and human resource constraints to carrying out the national plans of action. Based on progress reports from Governments and its own sources of information, the Commission secretariat would prepare a global analysis of achievements and constraints to serve as a basis for a review by the special session. This would also allow the special session to formulate a report on lessons learnt and to prepare recommendations for future action.

B. Partnership and the role of civil society

14. The broad-based concept of partnership with all actors in civil society has been widely recognized as a key feature of the Habitat Agenda and for making human settlements sustainable in ecological, social and economic terms. The Habitat Agenda calls for partnerships among actors from public, private, voluntary and community-based organizations, the cooperative sector and non-governmental organizations as being essential to the achievement of sustainable human settlements and to the provision of adequate shelter and services for all (goals and principles, para. 33).

15. The special session should review the specific contributions of different partners to implementing the Habitat Agenda at national and local levels. This review should focus particularly on assessing the experiences of local authorities and their global associations, non-governmental organizations and their global and regional bodies, private sector representatives, global habitat parliamentarians, academic institutions, trade unions and community groups. The special session should also consider the effectiveness of partnership arrangements in achieving broad-based participation through the forming of alliances, the pooling of resources, the sharing of knowledge and the

contribution of skills for collective action among partners at national and local levels. Again, the experience with learning from best practices will be a specific aspect of this review.

16. A further focus of the special session will be on the legal status of partners and their international associations in the United Nations system, in particular to assure their participation in the work of the Commission on Human Settlements. This focus on the legal status of partners will take into account the content of resolution 16/12 of the Commission on Human Settlements.

C. Monitoring and assessment

17. The special session will also review the effectiveness of the mechanisms established to monitor and evaluate the implementation of the Habitat Agenda. Issues that will merit in-depth analysis are the effectiveness of the Commission, its secretariat and partners in providing Member States with an effective and comprehensive process for monitoring and analysis of progress implementing the Habitat Agenda; the effectiveness of the guidelines provided for the same purpose; the effectiveness of indicators and best practices in improving urban policy and decision-making; the effectiveness of the Global Urban Observatory as a medium for increasing the base of knowledge on the shelter and human settlements; and the effectiveness of global research efforts, such as *The Global Report on Human Settlements* and the *State of the World's Cities* report, in raising awareness of human settlements and urban issues.

D. International cooperation

18. International cooperation is a fundamental strategy for implementing the Habitat Agenda, as outlined in chapter IV.F, Implementation and follow-up of the Habitat Agenda. General Assembly resolution 51/177 reiterated the call for international cooperation and invited the United Nations organizations and the specialized agencies to identify specific actions that they will undertake, within their mandates, towards implementation of the Habitat Agenda. Most organizations and agencies of the United Nations system have announced their plans of action for their contribution towards achieving the goals of the Istanbul Conference. The special session should invite these organizations, including the Bretton Woods institutions, to submit progress reports with an assessment of the impact of their actions in support of the Habitat II themes of adequate shelter for all and sustainable human settlements. This review of international cooperation through the United Nations system should be done in the context of major global issues and trends such as urbanization, decentralization, globalization, capacity-building and partnership. The special session should also review the respective roles of the Economic and Social Council and of the Commission on Human Settlements in the coordination of the implementation of the Habitat Agenda.

19. In accordance with the special mention of cooperation at the regional level in paragraphs 27 and 28 of General Assembly resolution 51/177, the special session should assess action taken at the regional level and by the regional commissions. This should include the request of the General Assembly to consider convening high-level meetings at regional levels to exchange experiences and adopt appropriate measures in cooperation with regional intergovernmental organizations and regional development banks.

20. Further, the special session should consider the issue of new and additional financial resources needed to implement the Habitat Agenda through international cooperation. To this effect, the Habitat Agenda has identified a wide range of action areas to mobilize additional financial resources at national and international levels (para. 204). In reviewing the issue of additional financial resources and better use of available resources, the special session would formulate pertinent recommendations to enhance the effectiveness of international cooperation.

III. Participation of Habitat Agenda partners

21. The process that led to Habitat II and the decisions taken at Istanbul, as well as the framework that has been described for its follow-up, established the full involvement of the Habitat Agenda partners through the Committee II hearings at the Conference as one of the cornerstones for the implementation of the Habitat Agenda. This is recognized in the Habitat Agenda itself, which recommended, in paragraph 240, that all partners of the Habitat Agenda, including local authorities, the private sector and communities, should regularly monitor and evaluate their own performances in the implementation of the Habitat Agenda.

22. The value of the participation and involvement of the partners, also through dialogue among themselves and with Governments, has also been stressed by the Commission on

Human Settlements in the course of its first substantive review of the outcome of Habitat II in its resolution 16/12. This principle, together with an invitation to Governments to include in their delegations to future sessions of the Commission representatives of local authorities and the relevant actors of civil society, has been reiterated by the General Assembly in its latest resolution on the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II), resolution 52/190.

23. It is therefore essential to encourage all Habitat Agenda partners to participate fully in the preparatory process of the special session and at the special session itself.

24. While the rules of procedure of the General Assembly do not allow for the active participation of representatives of major groups in its major deliberations, mechanisms can be identified to allow for a substantive and recognized contribution to and participation in the special session and its preparatory process by Habitat Agenda partners in their distinctive roles and areas of responsibility.

25. The General Assembly may wish to consider adopting the procedures followed by the Preparatory Committee of Habitat II in its work leading to the Conference. As to the special session itself, the General Assembly may also wish to avail itself of the formula of "partners hearings", as employed by Committee II of the Habitat II Conference. Through such a formula, the partners, as identified by the Habitat Agenda, will have an effective opportunity to review their commitments and plans of action under the Habitat Agenda.

IV. Organizational aspects of the preparatory process

26. The preparatory process for the review and appraisal of the implementation of the Habitat Agenda will be carried out at the local, national, regional and global levels. At the local, national and regional levels the organizational arrangements that were successfully and effectively utilized for the preparations for the Habitat II Conference at Istanbul will be refined and adapted to the requirements of the special session, with special emphasis on the inputs and participation of local authorities and other partners from civil society.

27. With regard to the preparatory activities at the global level, the Secretary-General recommends to the General Assembly that it invite the Commission on Human Settlements, meeting in special and additional sessions, to serve as the preparatory committee for the special session of the General Assembly. This recommendation is based on three important considerations. First, the Commission on Human Settlements is the intergovernmental body entrusted by the General Assembly with the overall responsibility of monitoring progress in the implementation of the Habitat Agenda; secondly, this would allow for maximum efficiency and cost-effectiveness in guiding the preparatory process for the special session; and, thirdly, this would be in line with the preparatory arrangements for the special session on Agenda 21 in which the General Assembly, in its resolution 50/113 of 20 December 1995, invited the Commission on Sustainable Development to devote its Ad Hoc Open-ended Inter-sessional Working Group Meeting to assist the Commission in undertaking the review for the special session. This arrangement enabled the Commission on Sustainable Development, during its regular sessions, to continue with its mandated work throughout the preparatory period for the special session on Agenda 21.

28. The request for special and additional sessions is justified by the fact that the Commission on Human Settlements meets every two years and its next two sessions (in 1999 and 2001) are expected to have a heavy and full agenda focusing on the ongoing implementation of the Habitat Agenda at the local, national, regional and global levels, including the role of the local authorities and civic society, and the coordination of the relevant organizations and agencies of the United Nations in the implementation of the Habitat Agenda. The Commission has also to consider and adopt the programmes of work and programme budgets of the United Nations Centre for Human Settlements (Habitat) for the biennium 2000–2001 at its seventeenth session (1999) and for the biennium 2002–2003 at its eighteenth session (2001). It would thus be too much to expect it to devote enough time, at its regular sessions in 1999 and 2001, to the preparations for the special session of the General Assembly.

29. When serving as the preparatory committee for the special session of the General Assembly, the Commission on Human Settlements would of course be open to the participation of all States Members of the United Nations, Habitat Agenda partners and members of the specialized agencies, also all representatives of funds and programmes, with the participation of accredited observers in accordance with the rules of procedure to be prepared by the preparatory committee itself. Accordingly, at its organizational session, which would be held for two working days and back-to-back with its forthcoming seventeenth (regular) session (Nairobi, 5–14 May 1999), the Commission, meeting as the

preparatory committee, would adopt appropriate rules of procedure reflecting its enlarged membership, specialized status and new mandate. It would, at the same organizational session, also elect its officers for the duration of the preparatory process and consider the organization of work for its first and second substantive sessions.

30. With regard to the substantive sessions of the preparatory committee, it is recommended that the first substantive session be held for five working days in April–May 2000, to consider, *inter alia*, (a) the recommendations of the Commission on Human Settlements at its seventeenth (regular) session on the issues referred to in paragraph 34 below; (b) the report of the high-level segment of the Economic and Social Council referred to in section VI below; (c) the role of partners and relevant United Nations organizations and agencies in the review and appraisal process; (d) the rules of procedure for the special session of the General Assembly; (e) the provisional agenda and organizational arrangements for the special session of the General Assembly; (f) local, national and regional preparations and (g) any other issues that may be referred to it by the General Assembly at its fifty-third session.

31. In the interest of making the preparatory process efficient and cost-effective, it is recommended that the second substantive session of the preparatory committee be held for five working days in February 2001, back-to-back with the eighteenth session of the Commission on Human Settlements, which would also be held for five working days immediately before the preparatory committee. During this second session, the preparatory committee would consider, *inter alia*, (a) the report of the Commission on Human Settlements at its eighteenth (regular) session; (b) the reports from the regional meetings; (c) preparation of a first draft of the global review and appraisal of the implementation of the Habitat Agenda for submission to the special session of the General Assembly; and (d) finalization of the provisional agenda and organizational arrangements, including the rules of procedure, for the special session of the General Assembly.

V. Role of the Commission on Human Settlements during its regular sessions

32. The original mandate and terms of reference of the Commission on Human Settlements, as contained in General Assembly resolution 32/162 of 19 December 1977, were revised and enhanced by the second United Nations Conference on Human Settlements (Habitat II) to enable it to discharge its responsibilities and challenges with respect to the implementation of the Habitat Agenda.

33. Among the functions and responsibilities that were given to the Commission were provisions that it should promote the full and effective implementation of the Habitat Agenda at the local, national, regional and international levels through, *inter alia*, the analysis of relevant inputs from Governments, local authorities, the United Nations system, relevant non-governmental organizations and the private sector and that it should propose, when appropriate, ways and means by which the overall policy objectives and goals of the Habitat Agenda might best be achieved. The Commission is also to evaluate the obstacles encountered in achieving the goals of the Habitat Agenda and to recommend appropriate measures and alternative actions as deemed necessary to enhance the dynamic nature of the Habitat Agenda (see para. 222 (b), (h), (j) and (n) of the Agenda). Subsequently, the General Assembly, in paragraph 1 of its resolution 52/192 of 18 December 1997, reaffirmed that the Commission on Human Settlements, as a standing committee of the Economic and Social Council, should have a central role in monitoring, within the United Nations system, the implementation of the Habitat Agenda and advising the Council thereon, and further decided, in paragraph 9 of the same resolution, that the Commission, in fulfilling its mandate, should assist the Economic and Social Council in monitoring, reviewing and assessing the progress made in the implementation of the Habitat Agenda, *inter alia*, through the analysis of relevant inputs from Governments, local authorities and their associations, relevant non-governmental organizations and the private sector.

34. In view of the above, the General Assembly may wish to recommend to the Commission on Human Settlements that, at its seventeenth session (Nairobi, 5–14 May 1999), it includes in its agenda an item entitled "Preparations for the special session of the General Assembly on the implementation of the Habitat Agenda", under which the Commission would consider and recommend to the General Assembly, at its fifty-fourth session, through the Economic and Social Council:

(a) The provisional agenda for the first substantive session of the preparatory committee for the special session of the General Assembly on the implementation of the Habitat Agenda;

(b) The scope to be covered by the review and appraisal and, consequently, the substantive documents to

be prepared by the secretariat for the first substantive session of the preparatory committee;

(c) The issues to be addressed by the high-level segment of an Economic and Social Council session on human settlements issues to be held before the year 2001, as recommended by the General Assembly in paragraph 16 of its resolution 51/177, and paragraph 13 of its resolution 52/190;

(d) The issues to be addressed by the Commission on Human Settlements at its eighteenth session, which would be supportive of the work being done by the preparatory committee.

VI. Role of the Economic and Social Council

35. In its resolution 51/177, the General Assembly reaffirmed that the General Assembly, the Economic and Social Council and the Commission on Human Settlements should constitute a three-tiered intergovernmental mechanism to oversee the coordination of activities for the implementation of the Habitat Agenda and, in this regard, invited the Council to consider dedicating one high-level segment before the year 2001 to human settlements and the implementation of the Habitat Agenda. In the same resolution, the General Assembly also emphasized that the Economic and Social Council should promote subregional and regional cooperation in the implementation of the Habitat Agenda, that the regional commissions, within their mandates and in cooperation with regional intergovernmental organizations and banks, could consider convening high-level meetings to review progress made in implementing the outcome of Habitat II and that the regional commissions should report to the Council on the outcome of such meetings.

36. In pursuance of the above, the General Assembly may wish to invite the Economic and Social Council to hold the high-level segment proposed in paragraph 13 of resolution 51/177 in the year 1999 to address the issues identified by the Commission on Human Settlements at its seventeenth session (see para. 34 (c) above). This will enable the Council to provide its substantive input into the special session of the General Assembly. During the high-level segment the Council would also address the issues raised in paragraph 28 of General Assembly resolution 51/177, especially the role of regional commissions and other relevant United Nations organizations in the review and appraisal of the implementation of the Habitat Agenda at the regional and subregional levels. This will also enable the Council to play its coordinating and pivotal role among the relevant United Nations bodies and organizations with respect to the review and appraisal process.

VII. Organizational aspects of the special session

37. Drawing on experience from previous special sessions of the General Assembly and of other major conferences organized in recent years under the auspices of the United Nations, including the International Conference on Population and Development, the World Summit for Social Development, the United Nations Conference on Environment and Development and the Fourth World Conference on Women, it is recommended that the special session be held in June 2001 for a period of five working days, a time-frame that will accommodate the statements of the representatives of all Member States and will allow for interaction with United Nations agencies and the representatives of Habitat Agenda partners.

38. If the need arises, the General Assembly could allocate some time for a one-day consultative meeting before the session. Among the issues which could be finalized during such a meeting would be organizational matters for the session, including the composition of the bureau of the special session.

39. It is recommended that participation of Member States and the United Nations system be at the highest level and that provision be made for an adequate and effective participation of representatives of local authorities, Habitat Agenda partners and organizations from civil society.

40. It is further recommended that detailed arrangements for the organizational and substantive aspects of the special session be considered by the preparatory committee for submission to the General Assembly at its fifty-fifth session.

41. An indicative timetable for the preparatory process for the special session is attached for ease of reference.

Annex

Indicative timetable for the preparatory process for the special session of the General Assembly on the implementation of the Habitat Agenda

Month Year	*Meeting*	*Actions*
September–December 1998	General Assembly, Fifty-third session	To consider the report of the Secretary-General on the scope and organizational arrangements for the preparatory process and for the special session itself
May 1999 (2 days back-to-back with the seventeenth session of the Commission on Human Settlements/17)	Organizational session of the Preparatory Committee (Special session of the Commission on Human Settlements)	Election of officers of the Preparatory Committee Consideration and adoption of its rules of procedure Organization of work of the first and second substantive sessions of the Preparatory Committee
5–14 May 1999	Seventeenth (regular) session of the Commission on Human Settlements	In addition to its regular work, to also consider and recommend to the fifty-fourth session of the General Assembly – the provisional agenda for the first substantive session of the Preparatory Committee for the overall review and appraisal of the Habitat Agenda in the year 2001 (Istanbul + 5); – the scope to be covered by the review and appraisal and, consequently, the substantive documents to be prepared by the secretariat for the Preparatory Committee I; – the issues to be addressed by the high-level segment of an ECOSOC session on the implementation of the Habitat Agenda, which is to be held before the year 2001, as recommended by the General Assembly; – the linkage between the proposed high-level segment of an ECOSOC session and Istanbul + 5.

Month Year	*Meeting*	*Actions*
		– the issues to be addressed by the Commission at its eighteenth session in the year 2000, which would be supportive of the work being done by the Preparatory Committee
July 1999	High-level segment of the Economic and Social Council on human settlements issues	To provide guidance to and coordination of the United Nations system in the preparatory process
September–December 1999	General Assembly: Fifty-fifth session	Considers the report of the seventeenth session of the Commission on Human Settlements and the report of the Preparatory Committee at its organizational session Consideration of the report of the high-level segment of ECOSOC
April–May 2000 (5 days)	First substantive session of the Preparatory Committee (First special session of the Commission on Human Settlements)	Consideration of the report of the seventeenth session of the Commission on Human Settlements; Consideration of the report of the high-level segment of ECOSOC; Consideration of the role of Habitat Agenda partners and United Nations organizations in the review and appraisal process; Consideration of the preparations at the local, national and regional levels; Consideration of the rules of procedure of Istanbul + 5; Consideration of the provisional agenda and organizational arrangements for Istanbul + 5
First half of the Year 2000	Regional preparatory meetings	Review and appraisal of the implementation of the Habitat Agenda at the regional level

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Fifty-third session
Item 113 (b) of the provisional agenda*
Human rights questions: Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Right to development

Report of the Secretary-General

Introduction

1. In adopting resolution 52/136 of 12 December 1997, the General Assembly, *inter alia*, reaffirmed the importance of the right to development for every human person and for all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights, and fundamental freedoms.

2. Noting the need for improved coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development, the General Assembly requested the United Nations High Commissioner for Human Rights, within her mandate, to continue to take steps for the promotion, protection and realization of the right to development by, *inter alia*, drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development.

3. By resolution 52/136, the General Assembly also requested the Secretary-General to inform the Commission on Human Rights at its fifty-fourth session and the General Assembly at its fifty-third session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development.

4. By the same resolution, the General Assembly called upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right, the reports of the Working Group on the Right to Development and the report of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development.

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5. In accordance with Commission on Human Rights resolution 1997/72 of 16 April 1997, the secretariat sent a note verbale in December 1997, seeking information relevant to the implementation of the Declaration on the Right to Development.

6. At its fifty-fourth session, the Commission on Human rights had before it the report of the Secretary-General on the question of the realization of the right to development (E/CN.4/1998/28 and Add.1), which is made available to the General Assembly for its consideration at its current session.

I. New developments since the fifty-fourth session of the Commission on Human Rights

A. Replies received from Governments

7. Replies from the Governments of Cuba and Ghana were received on 18 March 1998 and 28 April 1998, respectively, in response to the secretariat's note verbale of December 1997, seeking information relevant to the implementation of the Declaration. As the Commission was in session and in view of the established procedures, those replies could not be issued then.

1. Cuba

8. Basing its reflection on the universality, indivisibility, interdependence and interrelationship of all human rights, the Government of Cuba believes that the best way to protect and promote human rights, in particular in developing countries, would be to take decisive actions for the effective realization of the right to development, perceived not only in terms of growth but also as poverty eradication.

9. In this context, it is essential to facilitate the dissemination of the Declaration on the Right to Development, encourage its mainstreaming into bilateral and multilateral programmes of cooperation, and, if necessary, establish appropriate machinery for an adequate follow-up of progress made and obstacles encountered in the implementation of the Declaration.

10. Special emphasis should be placed on dissemination within celebrations marking the fiftieth anniversary of the Universal Declaration of Human Rights; the inclusion of this Declaration in the International Bill of Human Rights could be a significant move in expressing the international community's commitment at the dawn of the twenty-first century.

2. Ghana

11. In its preliminary views and observations, the Government of Ghana, while recognizing that the Declaration on the Right to Development and the International Bill of Human Rights constitute a milestone in the construction of a universally accepted human rights architecture, believes that these instruments need to be revisited for the following reasons:

(a) The definition of "development" is ambiguous and therefore needs more clarity and precision;

(b) The expressions "individually" and "collectively" should be better defined so as to distinguish individual and collective rights, as well as States' rights.

12. The Government of Ghana concludes that the established machinery should endeavour to formulate proposals in ensuring sustainable development, through effective international cooperation to provide developing countries with the means and facilities to foster their development. It is convinced that Governments should undertake radical economic reforms in terms of the realization of economic, social and cultural rights of peoples, as enshrined in the International Bill of Human Rights and the Declaration.

B. Comments from United Nations bodies and specialized agencies

1. United Nations Development Programme

13. The United Nations Development Programme (UNDP) is committed to disseminating human rights and the right to development to all its entities, based on its policy document entitled "Integrating Human Rights with Sustainable Human Development". In this context, the role of UNDP is the development of a national capacity for the promotion of human rights through three main focus areas:

(a) Governance, which contributes to developing the national capacity for human rights promotion in governing institutions and provides support for human rights institutions in the public and private sectors, including non-governmental organizations;

(b) Human rights mainstreaming in all activities in the framework of sustainable human development;

(c) Human rights advocacy as part of the policy dialogue with Governments and supporting the follow-up to the major global conferences organized in the 1990s, bearing in mind the human rights perspective.

14. The memorandum of understanding signed between the Office of the High Commissioner for Human Rights and UNDP will serve as a catalyst in this process. A joint task force has been established in Geneva to follow up the implementation of the memorandum of understanding.

II. Status of implementation of the Declaration on the Right to Development

15. Over the past year, the right to development has gained recognition as an integral part of human rights and fundamental freedoms. The indivisible character of human rights necessitates an integrated approach in the quest for their realization. Within the Secretariat, this has been reflected in measures relating to mainstream human rights in United Nations activities, dealing principally with various aspects of economic and social rights. The establishment of the United Nations Development Group, in which the Office of the High Commissioner for Human Rights participates, has been a decisive step towards strengthening the human rights regime within the United Nations.

16. The Ad Hoc Working Group on the Right to Development established within the United Nations Development Group and chaired by the Office of the High Commissioner, has the mandate to develop:

(a) A common Development Group approach for enhancing the human rights dimension in development activities;

(b) A matrix outlining specific human rights goals for the Development Group as a whole as well as for individual members, including benchmarks and terms of accountability;

(c) A training module, in cooperation with the Office of the High Commissioner, for Development Group staff on the right to development and its implications for development operations.

17. At its fifty-fourth session, the Commission on Human Rights decided to submit for the approval of the Economic and Social Council the appointment of an independent expert with a mandate to submit to the Open-ended Working Group on the Right to Development, at each of its meetings, a study of the current state of progress in the implementation of the Declaration on the Right to Development.

18. The Office of the High Commissioner identified three phases in the working group's work:

(a) The Office shares with members of the Development Group its concept of the right to development and the manner in which it proposes to fulfil its responsibility as a catalyst for all related activities;

(b) Members of the Working Group define their respective fields of activity and agree on the human rights sector(s) to which they relate;

(c) The Working Group agrees on a plan of action based on selected country examples.

19. The ad hoc Working Group's first (organizational) session was held on 27 February 1998 at Headquarters. With respect to the mandate of the Working Group, it was decided that it would focus on the United Nations Development Assistance Framework, and that by September 1998 the Working Group would incorporate the right to development in the Framework's basic document. In this process, the Working Group will have to take into account the international human rights instruments as well as the follow-up to global conferences that have an impact on the right to development.

20. After completion of this first phase, the Working Group is to address the incorporation of the right to development in the training of country teams.

21. In addition to the one signed with UNDP, a memorandum of understanding has recently been concluded between the Office of the High Commissioner and the United Nations Population Fund. Moreover, an ongoing programme of activities is being pursued with the United Nations Conference on Trade and Development, the Joint and Co-Sponsored United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome, the Food and Agriculture Organization of the United Nations, and the United Nations Centre for Human Settlements, and cooperation with other agencies and programmes is being explored.

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Item 111 of the provisional agenda
Elimination of racism and racial discrimination

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report on contemporary forms of racism, racial discrimination, xenophobia and related intolerance prepared by Mr. Maurice Glèlè-Ahanhanzo, Special Rapporteur of the Commission on Human Rights, in accordance with General Assembly resolution 52/109 of 12 December 1997.

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I. Introduction

1. In its resolution 52/109 of 12 December 1997 concerning measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the General Assembly took note with appreciation of the report of the Special Rapporteur and welcomed his recommendation to convene, without further delay, a world conference on racism, racial discrimination, xenophobia and related intolerance. The General Assembly recognized that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world required a more effective approach on the part of the relevant mechanisms of United Nations human rights machinery; accordingly, it requested the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-third session.

2. The present report is chiefly a response to the request set out in the General Assembly resolution quoted above, and it takes account of the pertinent elements of the relevant Commission on Human Rights resolution. Its three main sections deal respectively with the Special Rapporteur's activities since the last report to the General Assembly, contemporary manifestations of racism and racial discrimination, measures taken or envisaged by Governments and legislative and judicial bodies and other authorities. It ends with conclusions and recommendations.

II. Activities of the Special Rapporteur

A. Participation in the work of the Commission on Human Rights

3. From 20 to 23 March 1998, the Special Rapporteur participated in the work of the fifty-fourth session of the Commission on Human Rights, at which he presented a written report on the situation relating to racism and racial discrimination in the world (E/CN.4/1998/79) and an oral report on his recent visit to South Africa.

4. Following consideration of his reports, the Commission adopted resolution 1998/26, in which it expressed its full support and appreciation for the work of the Special Rapporteur and for its continuation; called upon all Governments, intergovernmental organizations and other relevant organizations of the United Nations system, as well as non-governmental organizations, to supply information to the Special Rapporteur; urged all Governments to cooperate fully with the Special Rapporteur with a view to enabling him to fulfil his mandate to examine incidents of contemporary forms of racism, racial discrimination, any form of discrimination, *inter alia*, against Blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance; it also requested the Special Rapporteur to make the fullest use of all appropriate sources of information, including country visits and evaluation of the mass media, and to elicit responses from Governments with regard to allegations.

5. The Commission commended those States that had so far invited and received the Special Rapporteur and encouraged them to consider ways to implement the recommendations contained in his reports; it also requested him to include in his report to the Commission at its fifty-fifth session, under the same agenda item, information on the measures taken to implement those recommendations, and to undertake follow-up visits, if necessary.

B. Missions undertaken or under consideration by the Special Rapporteur

1. Mission to South Africa

6. The Special Rapporteur visited South Africa from 24 February to 5 March 1998. The Government, which he wishes to thank once again, cooperated actively with him; many actors in civil society were also most solicitous, and he wishes to express his gratitude to them also.

7. The Special Rapporteur became acquainted with a newly evolving nation inspired by the South African television slogan "Simunye – We Are One" and the unifying concept "The Rainbow Nation", devised by Archbishop Desmond Tutu. He observed that South Africa is rebuilding itself under the leadership of the Truth and Reconciliation Commission, which by means of its conciliatory role is endeavouring to give birth to a new country. The effects of change are already to be seen in the reorganization of the army and the police, which have developed affirmative action and equal opportunity programmes.

8. The leadership teams at the ministries and of the provincial and municipal administrations increasingly reflect the racial and ethnic composition of the country. The educational system is in the process of being reformed, and with the adoption of *Curriculum 2000* the falsehoods proclaimed by apartheid are to be eradicated from teaching tools. Legislative reform continues with a view to consolidating the non-discriminatory basis of the South African State. For example, the Employment and Equity Act is under preparation.

9. There is unquestionably still resistance on the part of some administrative sectors that still support racist views. In the area of education, there is opposition to the presence of Blacks at some institutions, even public ones. Furthermore, there is resistance in the private sector to the integration of members of previously disadvantaged groups, which is hampering the emergence of African economic operators; conciliatory approaches are being explored, however. The press remains largely in the hands of the supporters of the old regime, who like to disparage the action taken by the Government. The Government plans to remedy the lack of legislation punishing racist acts and racial discrimination.

10. With respect to the increase in xenophobia, an issue that constituted the second aspect of the Special Rapporteur's visit, both the official and the unofficial interlocutors with whom the Special Rapporteur met acknowledged that it was a matter of concern. This increased xenophobia is directed particularly against Africans from countries bordering on South Africa and from further afield (chiefly nationals of Mozambique, Zimbabwe, Swaziland, Lesotho, Nigeria and the Democratic Republic of the Congo). This xenophobia is no doubt the result of both the long isolation of South Africans from the rest of Africa and the fear that the migrants (both legal and illegal) and refugees will come and take advantage of the dividends of liberation before South Africans have themselves had an opportunity to benefit from them. The attraction that South Africa's relative prosperity exerts on migrants from countries experiencing social or economic crises, combined with liberal legislation on the right of asylum, would appear to mean that there is a possibility that the development plan introduced by the South African Government will meet with failure. The Government indicates that it is aware of these problems and is seeking appropriate solutions.

2. Mission to Australia

11. The mission to Australia scheduled for 3 to 19 May 1998 was organized in cooperation with the Australian Government, but for reasons outside the control of the Special Rapporteur and the Government it was postponed to a later date to be agreed upon by the two parties.

C. Follow-up to field missions

12. With regard to the field missions undertaken by the Special Rapporteur, the Governments of the United States, Germany and Brazil have sent him information on measures they have taken in implementation of his recommendations (see documents A/52/471, paras. 29-37, and E/CN.4/1998/79, paras. 109-127).

13. The United Kingdom (1995 mission), France (1995 mission) and Kuwait (1996 mission) have not transmitted any information to the Special Rapporteur on implementation of his recommendations.

14. Having visited Europe, North and South America, Africa and the Pacific, the Special Rapporteur plans to visit Asia next year in order to discuss the problems facing the region with the competent authorities and representatives of civil society.

D. Cotonou international meeting on all forms of racial discrimination

15. As part of the activities of the Institute for Human Rights and the Promotion of Democracy ("Democracy in daily life"), which he established in his home country (Benin), the Special Rapporteur organized an international meeting of experts on all forms of discrimination based on race, nationality, ethnic origin, religion or belief or any other factors in Africa south of the Sahara in Cotonou on 5 and 6 June 1997, with financial assistance from the United Nations Educational, Scientific and Cultural Organization. The meeting focused on the following subjects: (a) problem areas in the field of discrimination in all its forms in Black Africa; (b) relations between ethnic groups in the Sahel countries; (c) the problems of ethnicity, nationalities and relations between ethnic groups in Central Africa, particularly in the Great Lakes region; (d) discrimination against women and children: the case of Benin (Vidomegons); and (e) relations between the peoples of the Gulf of Benin and members of the non-African communities (Europeans, Lebanese, Syrians, Indians, Pakistanis, etc.).

16. The final report of the meeting is available at the Office of the United Nations High Commissioner for Human Rights. In the context of the forthcoming World Conference on Racism and Xenophobia, meetings of this kind should be organized at the subregional and regional levels in other parts of the world.

III. Contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance

A. Resurgence of neo-fascism and neo-Nazism

17. Neo-fascism and neo-Nazism are gaining ground in many countries, especially in Europe. This is reflected by the electoral victories of extreme right parties advocating xenophobia, attacks on ethnic, national and religious minorities, and racial or ethnic purity in the countries where they are active. Such is the case in the following countries on which the Special Rapporteur has obtained information:

- Australia: the National Party won 23 per cent of the votes in the latest parliamentary elections in Queensland;

- Austria: the Liberal Party won 22.6 per cent of the votes and has 41 members of Parliament;
- Belgium: the Flemish Vlaams Blok won 12.3 per cent of the votes and has 11 representatives in the Federal Parliament, 15 in the Flemish Parliament, five in the Senate and two in the Brussels regional parliament;
- France: the Front National won about 15 per cent of the votes in various elections and some regions (Provence-Alpes-Côte d'Azur, Alsace) and its influence is growing steadily;
- Germany: in the Land of Saxony-Anhalt, the Deutsche Volksunion won 13.2 per cent of the votes and 16 seats in the regional elections;
- Italy: the National Alliance won 15.7 per cent of the votes and has 53 members of Parliament;
- Norway: the Progress Party has become the second largest political party, with 22 per cent of the vote and 41 members of Parliament;
- United States: the number of hate groups has increased by 20 per cent since 1996.

18. These parties are exploiting an economic and social climate characterized by fear and despair engendered by the combined effects of globalization, identity crises and social exclusion. They have also made changes designed to make them look like radical right wing democratic parties, softening their image while enabling them to conceal an unchanged preference for racism and xenophobia. Thus, for purely electoral motives, classic right wing parties are increasingly embracing the slogans of extreme right wing parties. Some young people are also receptive to xenophobic slogans.[1]

19. This growing increase in the power of extreme right wing parties is a cause for concern. International public opinion and non-governmental and international organizations, which seem to pay attention only to open conflicts or violent manifestations of fascism or xenophobia, should be alerted.

B. Discrimination against immigrants and migrant workers

20. In addition to the Americas, Asia and Europe, where various problems relating to immigration have been dealt with at length in previous reports, the Special Rapporteur would like to focus on the situation in Africa in this report.

21. The problem of migrant workers also exists in Africa, and some countries have organized charters for the large-scale deportation of undocumented aliens or have detained such aliens in holding camps prior to their repatriation.

22. This aspect of the question will be fully dealt with in the general report to the Commission on Human Rights and in the report on the mission to South Africa.

C. Anti-Semitism

23. It has recently been noted that while violent manifestations of anti-Semitism have declined, the phenomenon continues to develop on the Internet. It must be noted that the resurgence of the extreme right in Europe has so intensified the spread of classic ideas on anti-Semitism that there is a marked increase in violent anti-Semitic acts, such as the

vandalization on 15 July 1998 of a Jewish cemetery in the town of Orange in France. In Latvia, the synagogue of Riga was blown up on 2 April 1998.

24. This revival in the violent manifestations of anti-Semitism calls for vigilance and awareness raising.

D. Exploitation and manipulation of ethnicity for political purposes

25. As was noted by the international meeting of experts on all forms of discrimination, held in Cotonou on 5 and 6 June 1997, apart from the well-known cases of Burundi and Rwanda where ethnic rivalries resulted in tragic conflicts, ethnic groups have once again become increasingly important in many African States.

26. Apparently, in some sub-Saharan African countries, the criteria for defining ethnic groups (territory, language, race) can either be factors for integration and unification or factors for differentiating between different ethnic groups within given geographical areas on the basis of deep-rooted historical and cultural stereotypes. Should such criteria be used to highlight differences, they could result in serious multifaceted conflicts.

27. Moreover, politics in many countries seems to be based essentially on ethnic and/or regional considerations. The ethnic group is therefore a political instrument and pawn (gaining and maintaining power/building the electoral base). At the government level, the ethnic group and or region are fully taken into account in carrying out a skilful distribution of political posts as part of what is described a broad-based government of national unity, which is really more the result of attempts to achieve a balance between the regions or ethnic groups, such balance being perceived as a means of strengthening a nation's cohesion, solidarity and unity. This concern for regional or ethnic balance is also a factor in appointments to key State managerial positions. Ethnic groups are thus exploited and manipulated to a great extent for political purposes, something which today should give cause for concern.

28. Moreover, ethnic areas have always constituted, and still constitute, the electoral base of leaders and politicians in sub-Saharan African countries. Such leaders often make speeches with heavy ethnic undertones, paying occasional lip-service to national unity or integration. Thus, it is still difficult for liberal democracy based on individual rights and human dignity to take root, although some progress has been noted. The foregoing partly explains the conflicts that have recently caused bloodbaths in many African countries.

E. Internet and racism

29. As the Special Rapporteur noted in his previous reports (see A/52/47, paras. 19-21; E/CN.4/1998/79, para. 23), the use of the Internet for purposes of incitation to racial hatred is continuing. Over 200 sites worldwide are disseminating racist propaganda. As part of the international conference, and pursuant to the recommendations of the seminar on the role of the Internet in the light of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, which was held in Geneva from 10 to 14 November 1997 (E/CN.4/1998/77/Add.2), studies and research should be conducted on legal or voluntary measures that could be taken by States to prohibit the dissemination of racism on the Internet.

IV. Measures taken or envisaged by Governments and legislative and judicial bodies and other authorities

30. This section primarily concerns the countries already visited by the Special Rapporteur and countries or regional organizations on which specific information has been received by the Special Rapporteur.

A. France

31. The problem of undocumented aliens mentioned in the Special Rapporteur's reports to the Commission still exists in France: 70,000 of the 150,000 applications submitted for the regularization of the status of such aliens were rejected. It should be noted, however, that Charles Pasqua, former Minister of the Interior during whose term of office the immigration control laws were adopted, proposed in July 1998, in the wake of France's World Cup victory, that the status of all undocumented aliens should be regularized. France has discovered once again that it is a multiracial and multicultural society. Fifty-three per cent of those polled for a survey conducted by the French Public Opinion Institute (Institut français d'opinion publique), the *Journal du Dimanche* and *Le Monde* endorsed the proposal.

32. This cannot hide the fact that racism persists in France. As demonstrated by a recent opinion poll of the French National Commission on Human Rights (Commission nationale consultative française des droits de l'homme), 38 per cent of all French men and women say that they are openly racist, 27 per cent feel that there are too many Blacks in France, while 56 per cent feel that there are too many Arabs. Therefore, much remains to be done to combat racism, racial discrimination, xenophobia and related intolerance.

B. Brazil

33. Pursuant to article 68 of the Constitution, on 20 November 1997 the Palmares Foundation (Ministry of Culture) granted title of ownership to one of the 5,000 Afro-Brazilian communities that occupy the *quilombos*. According to officials contacted by the Special Rapporteur, the Government and the Palmares Foundation recognized the topographical surveys and legal studies on the delimitation of the 3,158.11 hectares of land occupied by the Afro-Brazilian communities of the Ivaporunduva *quilombo* in the municipality of Eldorado in São Paulo state.[7] To guarantee their legal rights, the other population groups and communities concerned would like similar measures concerning them to be taken through the legislative process, as provided for by the Constitution, and not through decrees.

C. Colombia

34. Pursuant to Act No. 70 of 1993 relating to land ownership rights of the Afro-Colombian communities and the protection of their cultural identity (see E/CN.4/1997/71/Add.1, paras. 15 and 16), the Colombian Government granted 700,000 hectares of land to 110 Afro-Colombian communities in the Antioquia and Choco regions (resolution No. 4566 of 29 December 1997 of the Colombian Institute for Agrarian Reform (Instituto Colombiano de la Reforma Agraria).

35. The Special Rapporteur welcomes this measure, which is in response to one of the recommendations of the report on his mission to Colombia. He hopes that the Colombian Government will continue its efforts to implement the other recommendations. In this regard, he urges the Government to contribute to the implementation of projects initiated by the communities themselves, especially the National Plan for the Development of Black Communities and the Project on Health Policies for Afro-Colombian Communities.

D. United Kingdom of Great Britain and Northern Ireland

36. The British Parliament recently passed an act on race relations in Northern Ireland, which fills a lacuna by prohibiting racial discrimination with respect to employment, training, education, housing and the supply of goods and services. However, although a bill making the denial of the Holocaust a criminal offence was thoroughly debated, it was not adopted by Parliament.[3]

E. United States of America

37. The Special Rapporteur is closely following the work of the Advisory Commission on Race in America established by President Clinton, and is looking forward to its conclusions and to measures taken by the Government.

F. Europe

38. Following the declaration of 1997 as the European Year against Racism, many events, lectures and seminars were held. In that regard, the Treaty of Amsterdam contained a general clause on non-discrimination which allows the Council of the European Union, following the ratification of the Treaty, and at the proposal of the European Commission, to take appropriate measures to combat any discrimination based on gender, race, ethnic origin.

39. The Commission also adopted a plan of action against racism that proposes concerted action at the European level to alert public opinion to the dangers of racism and put forward solutions. The Commission plans to include the fight against racism and racial discrimination and the promotion of integration in all appropriate areas of activity, including employment, European structural funds, education, training and youth programmes, policy on public contracts, research activities, external relations, information activities, and cultural and sports initiatives. The Commission intends to continue to reflect in its own policies and practices the principles of non-discrimination and efforts to combat racism and xenophobia.[4]

40. It should also be noted that the European Commission against Racism and Intolerance has published studies on the situation with respect to racism and racial discrimination in the member countries of the Council as well as on the legislative, judicial and administrative measures taken to combat the steady rise in racism, xenophobia and anti-Semitism. Such studies cover Belgium, the Czech Republic, Finland, Germany, Greece, Hungary, Iceland, Liechtenstein, Lithuania, Luxembourg, Malta, Norway, Poland, San Marino, Slovenia and Switzerland.[5]

V. Conclusions and recommendations

41. As the foregoing developments show, the most alarming trends in the manifestations of racism, racial discrimination, xenophobia and related intolerance concern the resurgence of neo-fascism and neo-Nazism, the continued use of the Internet for the purpose of disseminating racist ideology and the exacerbation of ethno-nationalism. The General Assembly should devote particular attention to the consideration of these phenomena. The Special Rapporteur therefore wishes to make the following recommendations:

(a) As part of the preparations for the World Conference against Racism and Racial Discrimination, Xenophobia and Related Intolerance, regional and subregional meetings of experts (in Africa, Asia and the Americas) like the one held in Cotonou in 1997 should be encouraged and promoted with the assistance of the specialized agencies in the United Nations system, including the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund, the International Labour Organization, the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, in order to consider the problems caused by such phenomena.

(b) A body on neo-fascism, neo-Nazism and ethno-nationalism should be established to study such phenomena in close cooperation with the Special Rapporteur. States Members should be invited to communicate relevant information to this body.

Notes

[1] See *Le Monde Diplomatique*, No. 529, April 1998, p. 1.

[2] Territory delimited on the basis of the research work of the anthropologist Guilherme dos Santos Barboza and his team; see Centro Afro-Brasileiro de Estudos e Pesquisas Culturais. Relatorio ethnologico, technico e scientifico sobre os quilombos de Vale de ribeira, São Paulo, 1979.

[3] See *Institute for Jewish Policy Research Newsletter*, Spring 1998, pp. 1 and 2.

[4] *Plan of action against racism*, Communication of the European Commission, Brussels, 25 March 1998, COM (1998) 183 final.

[5] European Commission against Racism and Intolerance (ECRI). ECRI's country-by-country approach, vol. 1, CRI (97) 48.